

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE FUTURE LAND USE ATLAS (FLUA) FOR COUNTY INITIATED CORRECTIVE AMENDMENT: FOREST HILL BOULEVARD PROPERTY (2003-0030 LGA) MODIFYING PAGE 72 OF THE FLUA BY CHANGING THE FUTURE LAND USE DESIGNATION FOR APPROXIMATELY 1.03 ACRES, GENERALLY LOCATED NORTH OF FOREST HILL BOULEVARD, APPROXIMATELY 0.35 MILES EAST OF CONGRESS AVENUE AND 350 FEET WEST OF FLORIDA MANGO ROAD, FROM HIGH RESIDENTIAL WITH AN UNDERLYING 8 UNITS PER ACRE (HR-8) WITH CROSS-HATCHING TO HIGH RESIDENTIAL WITH AN UNDERLYING 8 UNITS PER ACRE (HR-8); PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17;

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners have initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm Beach County; and

WHEREAS, the Palm Beach County Local Planning Agency conducted its public hearings on June 13 & 27 and July 11, 2003 to review the proposed amendments to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendments to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on July 21, 2003 to review the recommendations of the Local Planning Agency, whereupon the Board of County Commissioners authorized transmittal of proposed amendments to the Department of Community Affairs for review and comment pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, Palm Beach County received on October 8, 2003 the Department of Community Affairs "Objections, Recommendations, and

1 Comments Report," dated October 3, 2003 which was the Department's
2 written review of the proposed Comprehensive Plan amendments; and

3 **WHEREAS**, the written comments submitted by the Department of
4 Community Affairs contained no objections to the amendments contained
5 in this ordinance; and

6 **WHEREAS**, on November 24, 2003 the Palm Beach County Board of
7 County Commissioners held a public hearing to review the written
8 comments submitted by the Department of Community Affairs and to
9 consider adoption of the amendments; and

10 **WHEREAS**, the Palm Beach County Board of County Commissioners has
11 determined that the amendments comply with all requirements of the
12 Local Government Comprehensive Planning and Land Development
13 Regulations Act.

14 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
15 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:**

16 **Part I. Amendments to the Future Land Use Atlas of the Land Use
17 Element of the 1989 Comprehensive Plan**

18 The following amendments to the Land Use Element's Future Land
19 Use Atlas are hereby adopted and attached to this Ordinance:

20 **A. Future Land Use Atlas page 72 is amended as follows:**

21 **Application No.:** Forest Hill Boulevard Property (2003-0030
22 LGA)

23 **Amendment:** From High Residential with an underlying 8
24 units per acre (HR-8) with cross-hatching
25 to High Residential with an underlying 8
26 units per acre (HR-8);

27 **General Location:** North of Forest Hill Boulevard,
28 approximately 0.35 miles east of Congress
29 Avenue and 350 feet west of Florida Mango
30 Road;

31 **Size:** Approximately 1.03 acres;

32 **Part II. Repeal of Laws in Conflict**

33 All local laws and ordinances applying to the unincorporated area
34 of Palm Beach County in conflict with any provision of this ordinance
35 are hereby repealed to the extent of such conflict.

Part III. Severability

If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by the Court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this Ordinance.

Part IV. Inclusion in the 1989 Comprehensive Plan

The provision of this Ordinance shall become and be made a part of the 1989 Palm Beach County Comprehensive Plan. The Sections of the Ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

Part V. Effective Date

The effective date of this plan amendment shall be the date a final order is issued by the Department of Community Affairs or Administration Commission finding the amendment in compliance in accordance with Section 163.3184(1)(b), Florida Statutes, whichever is applicable. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Florida Department of Community Affairs, Division of Community Planning, Plan Processing Team. An adopted amendment whose effective date is delayed by law shall be considered part of the adopted plan until determined to be

1 not in compliance by final order of the Administration Commission.

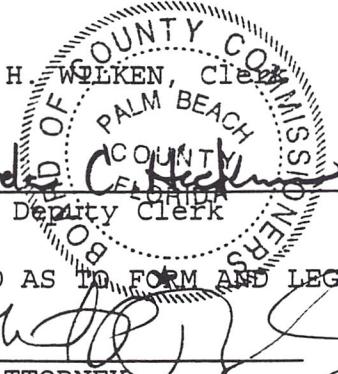
2 Then, it shall no longer be part of the adopted plan unless the local
3 government adopts a resolution affirming its effectiveness in the
4 manner provided by law.

5 **APPROVED AND ADOPTED** by the Board of County Commissioners of
6 Palm Beach County, on the 24 day of November, 2003.

7 ATTEST:

8 DOROTHY H. WILKEN, Clerk

9 By: Dorothy H. Wilken



10 PALM BEACH COUNTY, FLORIDA,
11 BY ITS BOARD OF COUNTY COMMISSIONERS

12 By: Karen T. Marcus

13 Karen T. Marcus, Chair

14 APPROVED AS TO FORM AND LEGAL SUFFICIENCY

15 John D. P. O'Brien
16 COUNTY ATTORNEY

17 Filed with the Department of State on the 3 day
18 of December, 2003.

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EXHIBIT 1

Amendment No.: Forest Hill Blvd. Property (2003-0030 LGA)

FLUA Page No.: 72

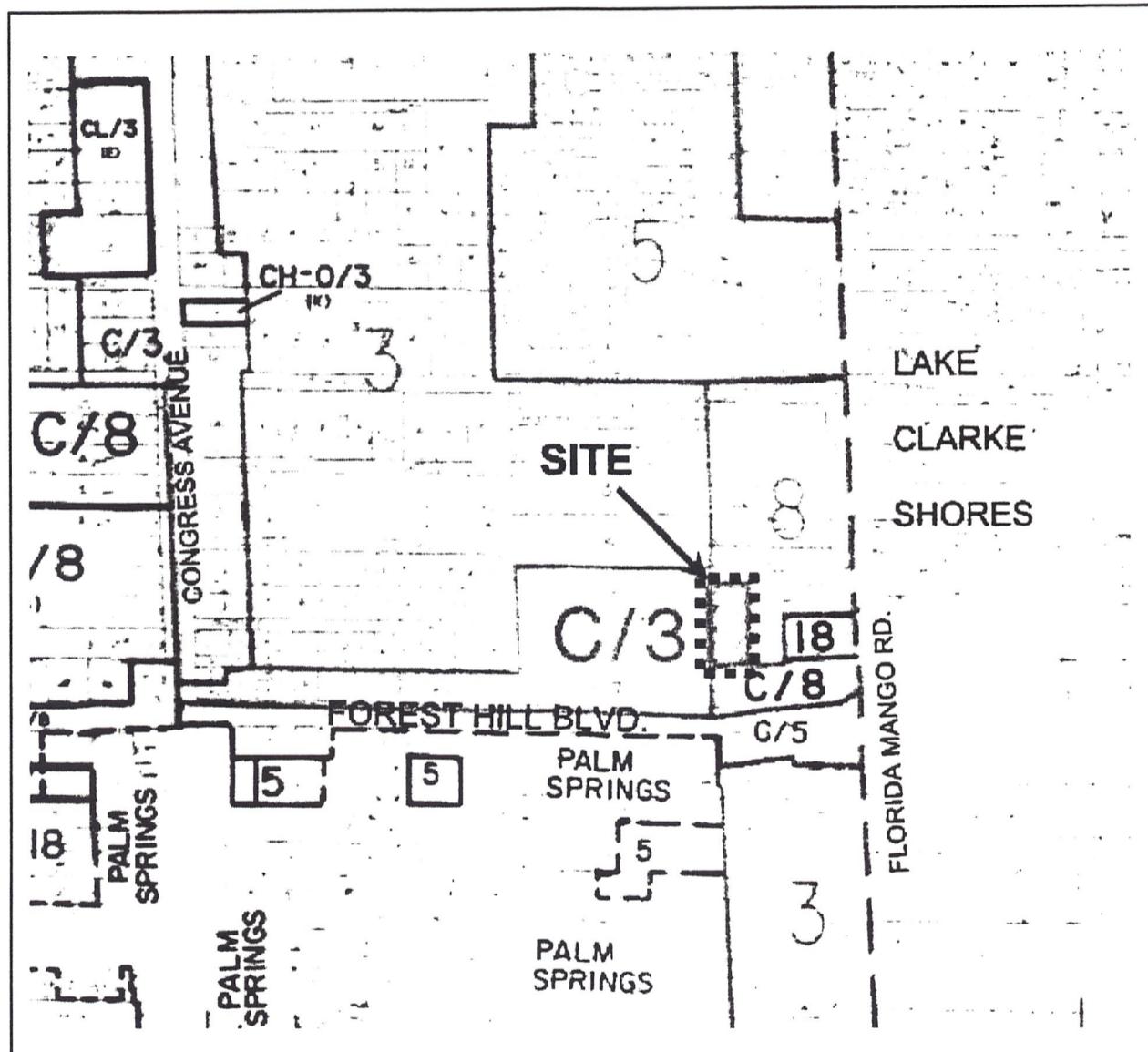
Amendment: From High Residential with an underlying 8 units per acre (HR-8) with cross-hatching to High Residential with an underlying 8 units per acre (HR-8)

Location: North side of Forest Hill Boulevard, approximately 0.35 mile east of Congress Avenue and 350 feet west of Florida Mango Road

Size: Approximately 1.03 acres

Property No.: 00-43-44-08-17-000-0050 (a portion of a 1.54 acre parcel)

Legal Description: Meadow Park Subdivision, Plat 2, Lots 5 & 6



STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify this to be a
true and correct copy of the original filed in my office
on November 24, 2003.
DATED at West Palm Beach, FL on 12/17/13.
DOROTHY H. WILKEN, Clerk
By: Diane Brown D.C.